

J. Sarno

**United States Court of Appeals
For the First Circuit**

ENTERED 6077

No. 06-2570
DC No. 04-cr-10299

UNITED STATES
Appellee

v.

VALENTIN MARTINEZ, a/k/a Valentin Rivera, a/k/a V, a/k/a
Vale
Defendant - Appellant

ORDER OF COURT

**Entered: February 21, 2007
Pursuant to 1st Cir. R. 27.0(d)**

This court has docketed the defendant's appeal from the judgment entered in the above noted criminal case. Appellant's retained counsel is directed to Local Rule 12.0(b), providing that, "[A]n attorney who has represented a defendant in a criminal case in the district court **will be responsible for representing the defendant on appeal, ...until the attorney is relieved of such duty by [this] court.**" (Emphasis added.) This court has not been presented with a motion requesting that counsel be allowed to withdraw on appeal. See Local Rule 46.6, *Procedure for Withdrawal in Criminal Cases*.

The filing fees of \$455.00 have not been paid to the Clerk of the District Court of Massachusetts. Accordingly, appellant must either pay the filing fees or file, with the assistance of his retained counsel, his motion and financial affidavit in the district court. If the district court denies the motion, appellant may immediately renew his request in this court. See Fed. R. App. P. 24(a); Form 4. The appellant may seek appointed counsel from this court under the Criminal Justice Act once he is granted in forma pauperis status.

By, **March 7, 2007**, counsel for appellant must file, **in the district court**, either the \$455 filing fee or a motion and financial affidavit on appellant's behalf, and notify this

court in writing of the steps taken regarding the outstanding fee issue.

By the Court:

Richard Cushing Donovan, Clerk

By: MARCAINE COTTER
Chief Deputy Clerk

[Certified copy to the Honorable Patti B. Saris, and
cc: Messrs. Martinez, Keefe, Gallagher, Ms. Bower,
Ms. Chaitowitz]

CERTIFIED COPY

HEREBY CERTIFY THIS DOCUMENT
IS A TRUE AND CORRECT COPY OF
THE ORIGINAL ON FILE IN MY OFFICE
AND IN MY LEGAL CUSTODY.

FIRST CIRCUIT COURT OF APPEALS
BOSTON, MA

By: [Signature]

Date: 2/21/07